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EXAMINER
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HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
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2172

18

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,008

Applicant(s)

SCHAEFER ET AL

Examiner

Monplaisir G Hamilton

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 9, 28, 29, 31, 32, 34, 35, 37, 38, 42-46, 51-58 and 60-65 is/are pending in the application.
- 4a) Of the above claim(s) 7, 10-27, 30, 33, 36, 39-41, 50 and 59 is/are cancelled.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed. -65
- 6) ☒ Claim(s) 1-6, 8, 9, 28, 29, 31, 32, 34, 35, 37, 38, 42-46, 51-58 and 60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. The communication filed 12/21/00 amended Claims 1, 2, 4, 6, 8, 28, 29, 31, 32, 34, 35, 37, 38, 42-49, 52, 54, 56-58, 61, 63, and 65 and cancelled Claims 7, 10-27, 30, 33, 36, 39-41, 50 and 59. Claims 1-6, 8, 9, 28, 29, 31, 32, 34, 35, 37, 38, 42-46, 51-58 and 60-65 are pending.

#### ***Response to Arguments***

2. Applicant's arguments with respect to Claims 1-6, 8, 9, 28, 29, 31, 32, 34, 35, 37, 38, 42-46, 51-58 and 60-65 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Response to 35 U.S.C. § 101 Arguments***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Applicants response to the previous 101 rejection was persuasive. However, upon further consideration examiner rejects claims 1-9, 29-29, 31-32, 37-38 42-49 and 51-56 under the grounds of, being a software/computer-listing per se, not being tangibly embodied on a computing system. The claimed invention is directed to non-statutory subject matter.

Referring to Claims 1-9, 28-29, 37-38 and 42-47:

Claims 1-9, 28-29, 37-38 and 42-47 invoke 35 U.S.C. § 112 6<sup>th</sup> paragraph. Upon review of the disclosure examiner notes that applicant has disclosed a software and machine

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embodiment for the invention. These claims do not fall within the statutory limits because the means plus function limitations may relate to either the software (page 4, lines 1-10) or hardware (page 7, lines 20-24; page 8, lines 4-10; page 21, lines 1015) embodiments. The claims lack limitations that define the relationship between the software and hardware. Because this interrelationship is not explicitly recited in the claims, the claims are rendered non-statutory.

Referring to Claims 31-32, 48-49 and 51-56:

Claims 31-32, 48-49 and 51-56 recite various limitations, however, the claims lack limitations that define the relationship between the software and hardware. Because this interrelationship is not explicitly recited in the claims, the claims are rendered non-statutory.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3, 8, 9, 29, 32, 35, 42, 46, 51, 55, 56, 60, 64 and 65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is improper to use the term "comprising" instead of "consisting of." Ex parte Dotter, 12 USPQ 382 (Bd. App. 1931).

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 and 8-9, 37-38, 47-49, 51-58, and 60-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6076092 issued to Goldberg et al, herein referred to as Goldberg in view of US 6609108 issued to Pulliam et al, herein referred to as Pulliam, further in view of US 6226745 issued to Wiederhold, herein referred to as Wiederhold.

Referring to Claim 1:

Goldberg an application program interface apparatus {for a vehicle organization}, the apparatus comprising:

- a. means for receiving a read data request or a write data request or a request to perform an operation from a SQL relational database compatible client application regarding a target database, the target database being a flat or multi-value database incompatible with the client application, {the target database being at least in part associated with a vehicle dealership} (col 2, lines 10-15; col 4, lines 20-45; col 6, lines 60-68; col 7, lines 10-15);
- b. means for managing communications connections and request queues (col 5, lines 45-64; col 6, lines 5-20);
- c. first means for checking a security authorization and control associated with the request (col 5, lines 45-50; col 7, lines 20-25);

d. means for transmitting the request if the first checking means determines that the request is valid (col 7, lines 23-30);

e. means for receiving a data response from an access component, the data response having a format that is compatible with the client application (col 7, lines 25-30);

Goldberg does not explicitly disclose “an application program interface apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership; f. second means for checking a security authorization and control associated with the data response; and

g. means for transmitting the data response to the client application if the second checking means determines that the data response is valid.”

Pulliam discloses an application program interface apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership (col 7, lines 10-45; col 8, lines 60-65).

Goldberg in view of Pulliam do not explicitly disclose “f. second means for checking a security authorization and control associated with the data response; and

g. means for transmitting the data response to the client application if the second checking means determines that the data response is valid.”

Wiederhold discloses [f.] second means for checking a security authorization and control associated with the data response (col 6, lines 15-30; col 6, line 60-col 7, lines 1-25); and [g.] means for transmitting the data response to the client application if the second checking means determines that the data response is valid (col 7, lines 10-20).

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At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg such that the interface and target database relate to vehicle information. One of ordinary skill in the art would have been motivated to do this because it would provide an online system, wherein real-time pricing and comparison data is provided for individual product features stored in legacy databases (Pulliam: col 3, lines 15-20; col 8, lines 65-68).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg in view of Pulliam such that response data is authenticated/validated. One of ordinary skill in the art would have been motivated to do this because it would provide a system wherein a sequence of queries by the same issuer cannot compute, from the sequence of answers, data in views to which he does not have authorization.

Referring to Claim 37, 48 and 57:

Goldberg discloses a data interchange system {for a vehicle organization}, the system comprising:

a. an application program interface comprising (Fig 4-6):

1 . means for receiving a read data request, a write data request, or a request to perform an operation, from a SOL relational database compatible client application regarding a target database, the target database being a flat or multi-value database incompatible with the client application, {the target database being at least in part associated with a vehicle related organization}(col 2, lines 10-15; col 4, lines 20-45; col 6, lines 60-68; col 7, lines 10-15);

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2. means for managing communications connections and request queues (col 5, lines 45-64; col 6, lines 5-20);

3. first means for checking a security authorization and control associated with the data request (col 5, lines 45-50; col 7, lines 20-25);

4. means for transmitting, the request if the first checking means determines that the request is valid (col 7, lines 23-30);

5. means for receiving a data response from an access component, the data response having a format that is compatible with the client application (col 7, lines 25-30);

b. the access component, electronically communicating with the application program interface and a system domain server, with means to receive the request and transmit it to a system domain, and means to receive the data response and transmit it to the application program interface (Fig. 4-6; col 3, lines 28-40; col 4, lines 20-45);

c. the system domain, with means to receive the request and transmit it to an interface component, and means to receive the data response and transmit it to the access component (col 4, lines 1-20);

d. the interface component comprising:

1. means for receiving the request from the system domain server (col 5, lines 45-60);

2. means for extracting data from appropriate files and fields in the target database, and mapping and performing stored procedures upon the extracted data to build



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a data response to the read data request or the request to perform an operation, the data response being in appropriate format (col 6, lines 10-65; col 11, lines 35-50);

3. means for writing data in appropriate formats in the target database, and building a data response to the write data request, the data response being in appropriate format (col 10, lines 5-15); and

4. means for transmitting the data responses to the server ((Fig 6; col 7, lines 20-30));

wherein the target database communicates with the interface component (col 5, lines 50-65).

Goldberg does not explicitly disclose “a data interchange system for a vehicle organization; the target database being at least in part associated with a vehicle dealership; 6. second means for checking a security authorization and control associated with the data response; and

7. means for transmitting the data response to the client application if the second checking means determines that the data response is valid.”

Pulliam discloses an application program interface apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership (col 7, lines 10-45; col 8, lines 60-65).

Goldberg in view of Pulliam do not explicitly disclose “6. second means for checking a security authorization and control associated with the data response; and

7. means for transmitting the data response to the client application if the second checking means determines that the data response is valid.”

Wiederhold discloses [6.] second means for checking a security authorization and control associated with the data response (col 6, lines 15-30; col 6, line 60-col 7, lines 1-25); and

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[7.] means for transmitting the data response to the client application if the second checking means determines that the data response is valid (col 7, lines 10-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg such that the interface and target database relate to vehicle information. One of ordinary skill in the art would have been motivated to do this because it would provide an online system, wherein real-time pricing and comparison data is provided for individual product features stored in legacy databases (Pulliam: col 3, lines 15-20; col 8, lines 65-68).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg in view of Pulliam such that response data is authenticated/validated. One of ordinary skill in the art would have been motivated to do this because it would provide a system wherein a sequence of queries by the same issuer cannot compute, from the sequence of answers, data in views to which he does not have authorization.

Referring to Claims 2, 38, 49 and 58:

Goldberg and Pulliam in view Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Pulliam further discloses monitoring means to monitor all received requests and all data responses to identify any request or response that contributes an application trigger and, in response to an application trigger, to generate and transmit an appropriate application trigger to activate an appropriate application (col 15, lines 1-5).

Referring to Claims 3, 42, 51 and 60:

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Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Pulliam further discloses wherein the client application is selected from the group consisting: insurance company applications, aftermarket store applications, bank applications, motor vehicle agency applications, salvage company applications, supplier company applications, car company applications, retailer applications, vehicle dealer applications, consumer applications, consumer applications, internet-based applications; auction house applications, automotive broker applications, collision repair applications and information broker company applications (col 6, lines 1-10).

Referring to Claim 4:

Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claim 1 above. Wiederhold further discloses the first and second means for checking security authorization of the request user identification authentication (col 6, lines 50-col 7, line 15; col 10, lines 55-col 11, line 45 ).

Referring to Claims 5, 44, 53 and 62:

Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Goldberg further discloses the first security means for checking the security authorization comprises an audit list of data requests for tracking transactions (Fig. 6; col 5, lines 45-50; col 8, line 20-col 9, line 5).

Referring to Claims 6, 45, 54 and 63:

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Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Goldberg further discloses the first and second means for checking security authorization authenticates request for authority to access the target database and data elements in the database, and to read write or operate thereon (col 7, lines 10-30; col 8, lines 20-35).

Referring to Claims 8, 47, 56 and 65:

Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Goldberg further discloses the data request and data response are transmitted electronically using one means from the group comprising: the Internet, leased telephone lines, wireless communication, local area networks, wide-area networks, dial-up, a combination of telecommunication links, satellite communication, and exchange of removable media (Fig. 1; col 3, lines 25-40).

Referring to Claims 9, 46, 55 and 64:

Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 1, 37, 48 and 57 above. Goldberg further discloses the access component is selected from the group comprising: ODBC, JDBC, Java adapter and OLE DB (col 9, lines 25-35).

Referring to Claims 43, 52 and 61:

Goldberg and Pulliam in view of Wiederhold disclose the limitations of Claims 37, 48 and 57 above. Wiederhold further discloses the means for checking access authorization of the request (col 6, lines 50-col 7, line 15; col 10, lines 55-col 11, line 45 ).

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6. Claims 28-29, 31-32 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6076092 issued to Goldberg et al, herein referred to as Goldberg in view of US 6609108 issued to Pulliam et al, herein referred to as Pulliam.

Referring to Claim 28:

Goldberg discloses a data-view apparatus {for a vehicle organization}; the apparatus comprising:

a. means for receiving a read data request or a write data request or a request to perform an operation from a system domain server, such data request originating from a SQL relational database compatible client application and regarding a target database, the target database being a flat or multi-value database incompatible with the client application, {the target database being at least in part associated with a vehicle dealership} (col 2, lines 10-15; col 4, lines 20-45; col 6, lines 60-68; col 7, lines 10-15);

b. means for extracting data from appropriate files and fields in the target database, and mapping and performing stored procedures upon the extracted data to build a data response to the read data request or the operation request, the data response having a format that is compatible with the client application (col 6, lines 20-68; col 11, lines 40-50);

c. means for writing data in appropriate formats in the target database (col 10, lines 5-10), and building a data response to the write data request, the data response having a format that is compatible with the client application (col 10, lines 5-10); and

d. means for transmitting the data responses to the server (Fig 6; col 7, lines 20-30).

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Goldberg does not explicitly disclose “a data view apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership;”.

Pulliam discloses a data view apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership (col 7, lines 10-45; col 8, lines 60-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg such that the interface and target database relate to vehicle information. One of ordinary skill in the art would have been motivated to do this because it would provide an online system, wherein real-time pricing and comparison data is provided for individual product features stored in legacy databases (Pulliam: col 3, lines 15-20; col 8, lines 65-68).

Referring to Claims 29 and 34:

Goldberg discloses a data view method {for a vehicle organization}, the method comprising:

a. receiving a read data request or a write data request or a request to perform an operation from a system domain server, such request originating from a SQL relational database compatible client application and regarding a target database, the target database being a flat or multi-value database incompatible with the client application, {the target database being at least in part associated with a vehicle dealership} (Fig. 6; col 2, lines 10-15; col 4, lines 20-45; col 6, lines 60-68; col 7, lines 10-15);

b. extracting data from appropriate files and fields in the target database, and mapping and performing stored procedures upon the extracted data to build a data response to the read

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data request or the operation request, the data response having a format that is compatible with the client application (col 6, lines 20-68; col 11, lines 40-50);

c. writing data in appropriate formats in the target database (col 10, lines 5-10), and building a data response to the write data request, the data response having a format that is compatible with the client application (col 10, lines 5-10); and

d. transmitting the data responses to the server (Fig 6; col 7, lines 20-30);

Goldberg does not explicitly disclose “a data view apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership;”.

Pulliam discloses a data view apparatus for a vehicle organization; the target database being at least in part associated with a vehicle dealership (col 7, lines 10-45; col 8, lines 60-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Goldberg such that the interface and target database relate to vehicle information. One of ordinary skill in the art would have been motivated to do this because it would provide an online system, wherein real-time pricing and comparison data is provided for individual product features stored in legacy databases (Pulliam: col 3, lines 15-20; col 8, lines 65-68).

Referring to Claims 29, 32 and 35:

Goldberg in view of Pulliam disclose the limitations of Claims 28, 31 and 34 above.

Pulliam further discloses wherein the client application is selected from the group consisting: insurance company applications, aftermarket store applications, bank applications, motor vehicle agency applications, salvage company applications, supplier company applications, car company

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applications, retailer applications, vehicle dealer applications, consumer applications, consumer applications, internet-based applications, auction house applications, automotive broker applications, collision repair applications and information broker company applications (col 6, lines 1-10).



***Prior Art***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6526403 issued to Lin, Eileen Tien et al. Lin discloses a method, computer product, and system for rewriting database without decreasing pushdownability is provided. First, a pushdown analysis of the query in its entirety is performed prior to the application of any query rewrite rules in order to establish a baseline on pushdownability for the query. The results of this analysis is stored with the internal query representation. After each rule is applied to rewrite a portion of a query, that rewritten portion is analyzed again for pushdownability. If pushdownability is not decreased, then the rewritten query remains and the internal representation of the query is updated to reflect the pushdownability of that portion. If pushdownability is decreased, then an undo operation is applied to the rewritten portion of the query to back out the effects of the rule and leave the query in the same state as before the rewrite. Finally, additional rewrite rules that are directed to the heterogeneous database environment are also provided.

US 6332163 issued to Bowman-Amuah, Michel K. Bowman-Amuah discloses a system, method and article of manufacture are provided for implementing communication services patterns. A fixed format stream-based communication system is provided and service is delivered via a globally addressable interface. *Access is afforded to a legacy system.* Service is delivered via a locally addressable interface. A null value is communicated and data is

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transmitted from a server to a client via pages. A naming service and a client are interfaced with the naming service allowing access to a plurality of different sets of services from a plurality of globally addressable interfaces. A stream-based communication system is provided and data is efficiently retrieved.

US 6041310 issued to Green, H. Dean et al. Green discloses the invention relates to a method and system for facilitating a transaction between a customer and an *automobile dealership*. The system includes a kiosk including an input/display terminal and a terminal processor for formulating a multilevel customer query of automobile inventory. The query searches a storage device containing automobile data and images to return a selected inventory to the input/display device. The practice of the invention includes storing customer data, selected inventory information for later access by a marketing follow-up application and a financing and insurance application.

US 6006201 issued to Berent, Thomas Gerard et al. Berent discloses an electronic auction and motor vehicle auction information system allows remote users to interactively participate in motor vehicle auction sales of *motor vehicles* using a personal computer. Additional user applications associated with the system permit users to access and search a system database and display data about motor vehicle auction dates and locations, vehicle inventory, industry news, and vehicle sales history. A dealer Direct application allows commercial vehicle sellers to import their vehicle inventories into the system for sale to participating dealers.

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***Final Rejection***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. ~~In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.~~

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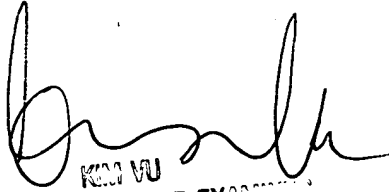
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 1-703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monplaisir Hamilton

  
KIM WU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2172